

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 8:14CR95
Plaintiff,)
vs.) ORDER
LOUIS A. VENDITTE,)
RUBY A. VENDITTE and)
JOHN W. WAGSTAFFE,)
Defendants.)

This matter is before the court on the motion to continue by defendant John W. Wagstaffe (Filing No. 116) and by the government as to trial for the forfeiture action against Louis A. and Ruby A. Venditte (Filing No. 118). Both motions will be granted.

IT IS ORDERED:

1. Wagstaffe's motion to continue (Filing No. 116) and the government's motion to continue (Filing No. 118) are granted.
2. Trial of the Indictment against Wagstaffe and trial of the forfeiture matter as to Louis A. and Ruby A. Venditte is re-scheduled for **October 26, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., the time between **August 28, 2015, and October 26, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 28th day of August, 2015.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge